

# TRANSMITTAL FORM

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|--|---|------------------------|--------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 10/799,157         |
|  |   | Filing Date            | March 12, 2004     |
|  |   | First Named Inventor   | Joseph A. Appleton |
|  |   | Art Unit               | 3726               |
|  |   | Examiner Name          |                    |
| Total Number of Pages in This Submission   | 4 | Attorney Docket Number | BING-1-1082        |

## ENCLOSURES (check all that apply)

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application                | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer   | <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):    |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund  | <u>Return Postcard</u>  |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> CD Number of CD(s) _____  | _____   |
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## Remarks

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LICENSING AND REVIEW

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual Name                    | Black Lowe & Graham PLLC, by Dale C. Barr, PTO Reg. No. 40,498 |
| Signature                                  | <i>Dale C. Barr</i>  |
| Date                                       | August 18, 2004  |

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## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: ATTN: LICENSING AND REVIEW, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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|-----------------------|-------------------------|-----------------------|
| Typed or printed name | Sandra K. Duncan        |                       |
| Signature             | <i>Sandra K. Duncan</i> | Date: August 18, 2004 |



ATTN: LICENSING AND REVIEW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Joseph A. Appleton et al.

Attorney Docket No. BING-1-1082

Serial No.: 10/799,157

Group Art Unit: 3726

Filing Date: March 12, 2004

Examiner:

Title: ENGINE LOADER AND TRANSPORTER APPARATUS AND METHODS

**INFORMATION DISCLOSURE STATEMENT**

COMMISSIONER FOR PATENTS

Dear Commissioner:

Pursuant to 37 C.F.R. § 1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information related to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

The relevant publications are listed on the attached Form PTO-1449, along with a return receipt postcard. In accordance with 37 CFR § 1.98(a)(2)(i), copies of references listed on the

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BLACK LOWE & GRAHAM PLLC

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701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206 381 3300 • F. 206 381 3301

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attached Form PTO-1449 are not enclosed. If the examiner requires copies of any of the references it is hereby requested that the examiner notify the undersigned accordingly.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Dale C. Barr

Registration No. 40,498

Direct Dial: 206.957.2463

**MAIL CERTIFICATE**

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: ATTN: LICENSING AND REVIEW, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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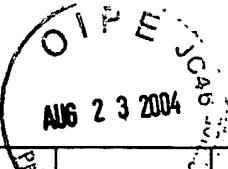
- 2 -

BLACK LOWE & GRAHAM<sup>PLLC</sup>



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701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F. 206.381.3301

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|---|---|----|---|--------------------------|--|--------------------|-------------|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br> |   |    |   | <i>Complete if Known</i> |  |                    |             |
|   |   |    |   | Application Number       |  | 10/799,157         |             |
|   |   |    |   | Filing Date              |  | March 12, 2004     |             |
|   |   |    |   | First Named Inventor     |  | Joseph A. Appleton |             |
|   |   |    |   | Group Art Unit           |  | 3726               |             |
|   |   |    |   | Examiner Name            |  |                    |             |
| Sheet   | 1 | of | 1 | Attorney Docket Number   |  |                    | BING-1-1082 |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
|--------------------|-----------------------|----------------------|--------------------------------------|---|--|
|                    |                       | Number               | Kind Code <sup>2</sup><br>(if known) |   |  |
|                    | 1.                    | 2,815,184            |                                      | Westphal et al.                                 | 12/03/1957                                       |
|                    | 2.                    | 3,128,840            |                                      | Arthur M. Barrett, Jr.                          | 04/14/1964                                       |
|                    | 3.                    | 3,570,227            |                                      | S. Lawrence Bellinger                           | 03/16/1971                                       |
|                    | 4.                    | 3,744,586            |                                      | Erich Leinauer                                  | 07/10/1973                                       |
|                    | 5.                    | 4,175,638            |                                      | Robert F. Christensen                           | 11/27/1979                                       |
|                    | 6.                    | 4,372,407            |                                      | Bruce J. McColl                                 | 02/08/1983                                       |
|                    | 7.                    | 4,461,455            |                                      | Mills et al.                                    | 07/24/1984                                       |
|                    | 8.                    | 4,823,899            |                                      | Shimon Ron                                      | 04/25/1989                                       |
|                    | 9.                    | 4,919,224            |                                      | Shyu et al.                                     | 04/24/1990                                       |
|                    | 10.                   | 5,083,629            | A                                    | Chih-Li Chang                                   | 01/28/1992                                       |
|                    | 11.                   | 5,222,568            | A                                    | Higasa et al.                                   | 06/29/1993                                       |
|                    | 12.                   | 5,575,607            | A                                    | Grout et al.                                    | 11/19/1996                                       |
|                    | 13.                   | 5,609,220            | A                                    | Moriya et al.                                   | 03/11/1997                                       |
|                    | 14.                   | 6,485,247            | B1                                   | Groves et al.                                   | 11/26/2002                                       |

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1. Applicant's unique citation designation number (optional). 2. See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6. Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

This collection of information is required by 37CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22315-1450